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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/788,387	02/21/2001	Makoto Suzuki	1046.1243 (JDH)	5408

21171 7590 07/19/2004

STAAS & HALSEY LLP  
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WASHINGTON, DC 20005

EXAMINER

VILLECCO, JOHN M

ART UNIT	PAPER NUMBER
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2612

8

DATE MAILED: 07/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/788,387

Applicant(s)

SUZUKI ET AL.

Examiner

John M. Villecco

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 June 2004.  
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.  
4a) Of the above claim(s) 10,11 and 15 is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-9 and 12-14 is/are rejected.  
7) ☒ Claim(s) 9 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 21 February 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2.3.5.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Election/Restrictions*

1. Applicant's election without traverse of Group I, claims 1-9 and 12-14, in the reply filed on June 18, 2004 is acknowledged.
2. Claims 10, 11, and 15 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on June 18, 2004.

### *Specification*

3. The disclosure is objected to because of the following informalities:
  - On page 12, line 5, applicant refers to the rightward frame fast forward button as reference number 29. However, it is clear from the drawings that the correct reference number for the rightward frame fast forward button should be 30.

Appropriate correction is required.

### *Claim Objections*

4. Claim 9 is objected to because of the following informalities:
  - In line 4 of claim 9, applicant refers to "said computer". However, there is no mention of a computer preceding this phrase, nor in the parent claims, thus resulting in a lack of antecedent basis.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. **Claims 1-4, 7, 8, and 12-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Sato (U.S. Patent No. 6,515,704).**

7. Regarding *claim 1*, Sato discloses a method for sensing and displaying captured images. More specifically, Sato discloses a camera which includes a control section (7), an image sensor (1), a memory (5), and a display (9). The camera operates such that upon determination of whether a photographing operation is performed, a preview image, which was previously displayed in section (101) of the display, is sent to the memory (5), processed and then displayed in the periphery section of the display. See column 4, line 59 to column 5, line 8. Inherently, the control section (7) would be used to detect the photographing instruction from the operating section (12). The display area (101) is interpreted to be the first display area and the display areas (102-113) are interpreted to be the second display area.

8. As for *claim 2*, Sato discloses a display memory (91) for storing the plurality of captured images in the second display area. Furthermore, Sato discloses that display areas (102-113) display a plurality of image data. See Figure 4.

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9. With regard to *claim 3*, Sato discloses a second embodiment wherein the newly captured image data are always positioned in a specific location. See column 6, lines 30-53.

10. Regarding *claim 4*, Sato discloses a second embodiment wherein the newly captured image data are always positioned in a specific location. See column 6, lines 30-53.

Additionally, Sato discloses that the previously captured images are shifted in a clockwise direction and redisplayed.

11. *Claim 7* is considered substantively equivalent to claim 1 with the added limitations of the method steps being stored in a storage medium readable by a machine. It is inherent that the control section (7) of Sato includes a storage medium for storing instructions for carrying out the display process.

12. *Claim 8* is considered substantively equivalent to claim 4. Please see the discussion of claim 4 above.

13. *Claim 12* is considered substantively equivalent to claim 1. Please see the discussion of claim 1 above.

14. *Claim 13* is considered substantively equivalent to claims 3 and 4. Please see the discussion of claims 3 and 4 above.

15. As for *claim 14*, Sato discloses that the image is obtained using an image sensing section (1), which is interpreted to be an image acquisition device.

***Claim Rejections - 35 USC § 103***

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**17. Claims 5, 6, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato (U.S. Patent No. 6,515,704) in view of Bullock et al. (U.S. Patent No. 5,943,050).**

18. Regarding *claim 5*, as mentioned above in the discussion of claim 1, Sato discloses all of the limitations of the parent claim. However, Sato fails to specifically disclose that the images are input from an outside device to the display. Bullock, on the other hand, discloses that it is well known in the art to transmit images from a camera directly to computer monitor for display. More specifically, Bullock discloses a camera (118) connected to computer (100) via cable (117). One of ordinary skill in the art would recognize that outputting images to a computer for display offers a myriad of advantages. Computers generally offer bigger displays and increased image processing capabilities. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to download the image from the camera of Sato to a computer with a display so that the images can be viewed on a larger monitor and with increased image processing capabilities.

19. As for *claim 6*, Bullock discloses the use of a camera (118) connected to the computer (100). The camera (118) is interpreted to be the image acquisition device.

20. With regard to *claim 9*, as mentioned above in the discussion of claim 7, Sato discloses all of the limitations of the parent claim. However, Sato fails to specifically disclose that the images are input from an outside device to the display. Bullock, on the other hand, discloses that it is well known in the art to transmit images from a camera directly to computer monitor for display. More specifically, Bullock discloses a camera (118) connected to computer (100) via

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cable (117). One of ordinary skill in the art would recognize that outputting images to a computer for display offers a myriad of advantages. Computers generally offer bigger displays and increased image processing capabilities. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to download the image from the camera of Sato to a computer with a display so that the images can be viewed on a larger monitor and with increased image processing capabilities.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

or faxed to:

(703) 872-9306 (For either formal or informal communications intended for entry. For informal or draft communications, please label **"PROPOSED"** or **"DRAFT"**)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington VA, Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M. Villecco whose telephone number is (703) 305-1460. The examiner can normally be reached on Monday-Thursday.

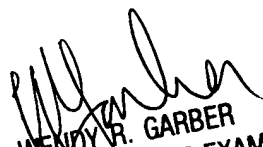
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on (703) 305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



John M. Villecco  
June 29, 2004



WENDY R. GARBER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600